FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Civil Application NO. 6252/2007
(Habib Patel Shami Patel **VERSUS** Smt.Kaniz Akhtar Altaf Khan**)**

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

CORAM : Smt. Vasanti A. Naik, J.
DATE : 6th September, 2007.

Heard the learned counsel for the applicant.

The counsel for the non-applicant have serious objection to the prayer made in the civil application. It is submitted on behalf of the respondent that the exact delay is not mentioned in the civil application, and therefore, the civil application must be dismissed.

I have perused the contents of the civil application. It appears that the delay in filing an application for restoration of the appeal is 209 days. It further appears that the first appeal was dismissed for not filing the private paper book within the time stipulated by the Court. The

counsel for the applicant, however, make a statement that the private paper book is now filed in the office in First Appeal No.343/2002. In view of the aforesaid statement and also for the reasons stated in the civil application, the prayer made in the civil application is granted. The delay in filing the restoration application is condoned. C.A. is disposed of.

M.C.A. ST. NO. 12468/2007.

Heard the learned counsel for the parties.

Since the counsel for the appellant had made a statement that the private paper book is already filed, it would be necessary in the interest of justice to restore the First Appeal No.343/2002 to file. The first appeal is restored to file. The miscellaneous civil application is allowed and disposed of.

JUDGE

APTE